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5 Attorney for Yun's Corporation and Town, Inc.

IN THE UNITED STATES DISTRICT COURT  
FOR THE  
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

10 U.S. EQUAL EMPLOYMENT ) Civil Action No. 07-0031  
OPPORTUNITY COMMISSION, )  
11 Plaintiff, )  
12 vs. ) ANSWER TO COMPLAINT  
13 YUN'S CORPORATION and )  
TOWNHOUSE, INC., )  
14 Defendants. )

16 Yun's Corporation ("Yun's") and Town, Inc. ("Townhouse") respond to the  
17 Complaint as follows:

1. No response is required to the introductory paragraph of the Complaint; to  
the extent a response is required, Yun's and Townhouse deny any intentional or unlawful  
discrimination with respect to the named charging party or any other individuals.

22       2. With respect to paragraph 1 of the Complaint, Yun's and Townhouse admit  
23 that this Court has jurisdiction of the claim and that Plaintiff alleges certain statutes that  
24 provide the Court with jurisdiction. Otherwise, the allegations in the paragraph are  
25 denied

3. With respect to paragraph 2 of the Complaint, Yun's and Townhouse admit  
that venue lies in this Court; the remainder of the allegations in the paragraph is denied.

4. With respect to paragraph 3 of the Complaint, Yun's and Townhouse admit to the same.

5. With respect to paragraph 4 of the Complaint, Yun's and Townhouse admit the same.

6. With respect to paragraph 5 of the Complaint, Yun's and Townhouse deny the same.

7. With respect to paragraph 6 of the Complaint, Yun's and Townhouse deny the same.

8. With respect to paragraphs 7 and 8 of the Complaint, Yun's and Townhouse deny the same.

9. With respect to paragraph 9 of the Complaint, Yun's and Townhouse deny the same, although it is admitted that at the time Yun's employed the charging party, Yun's employed at least 15 individuals and engaged in interstate commerce as defined by statute.

10. With respect to paragraph 10 of the Complaint, Yun's and Townhouse admit the first sentence and deny the second sentence thereof.

11. With respect to paragraphs 11, 12, 13, and 14 of the Complaint, Yun's and Townhouse deny the same.

12. Yun's and Townhouse deny any allegation not specifically admitted.

## AFFIRMATIVE DEFENSES

1. Plaintiff has failed to state a claim upon which relief may be granted.

2. Plaintiff's claim on behalf of the charging party and any other allegedly similarly situated is barred in whole or in part by laches, estoppel, waiver, and the applicable statute of limitations.

5       3.      At all material times, Yun's and Townhouse acted in good faith toward the  
6 charging party and similarly situated individuals.

4. Yun's would have taken the same actions with respect to the charging party and similarly situated individuals in the absence of any impermissible motivating factor.

5. Charging party and similarly situated individuals are barred from obtaining any relief as pleaded in the Complaint because of the failure to take reasonable, necessary, appropriate, and feasible steps to mitigate their damages, if any.

## **PRAYER FOR RELIEF**

For the foregoing reasons, Yun's and Townhouse pray that the Court grant the following relief:

1. That Plaintiff and the charging party take nothing from the Complaint; and
2. That Yun's and Townhouse be awarded costs, fees, and such other relief as appropriate under law and equity.

Respectfully submitted this 24<sup>th</sup> day of March 2008.

Richard W. Pierce, Law Office, LLC

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/s/  
RICHARD W. PIERCE  
For Yun's Corporation and Town, Inc.